

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 12 October 2023

**Public Authority:** Chief Constable of Northumbria Police  
**Address:** Middle Engine Lane Police Station  
Wallsend  
Newcastle upon Tyne  
NE28 9NT

#### **Decision (including any steps ordered)**

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1. The complainant requested information from Northumbria Police.
2. The Commissioner's decision is that the public authority breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days. No steps are required.

#### **Request and response**

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3. On 23 June 2023, the complainant made the following request for information:

"In relation to the Northumbria Police investigation into the North East Ambulance Service NHS Foundation Trust in 2020, I request the following information:

- 1 - What crime or crimes were recorded by Northumbria Police?
- 2 - Is this investigation ongoing or closed?

If this information is already in the public domain, I ask that you provide me with the details of how to access this information. If in the unlikely event that my request exceeds the time and costs limits outlined in the act, I ask that you provide me with advice and assistance, in order for me to refine my request.

I thank you in anticipation of your timely assistance, and in any event, I await the requested information with the 20 working days permitted by the FOIA 2000”

4. The public authority asked for clarification of the request on 26 June and the requester provided clarification on 28 June. On the same date, the public authority asked for further clarification, with the requester providing clarification on 9 July 2023.
5. The public authority responded to the request on 1 September 2023.

### **Reasons for decision**

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6. Section 1(1) of FOIA states that:

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.”

7. Section 10(1) of FOIA states that a public authority must respond to a request promptly and “not later than the twentieth working day following the date of receipt”.
8. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with FOIA. The Commissioner finds that the public authority has breached section 10(1) by failing to respond to the request within 20 working days.

## Right of appeal

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9. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

10. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
11. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Michael Lea**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**